THE CITY OF ASHEVILLE

STAFF REPORT

Council Meeting Date: February 14, 2022

Subject: Resolution to permanently close an unopened right-of-way connecting to the east side of Buncombe Street between Commerce Street and Aston Street, associated with the Central United Methodist Church.

Staff Resource(s): Ken Putnam, PE, Transportation Department Director
Jessica Morriss, AICP, Transportation Department Assistant Director

Action Requested: Adoption of a resolution to permanently close an unopened right-of-way connecting to the east side of Buncombe Street between Commerce Street and Aston Street, associated with the Central United Methodist Church.

Background:

- North Carolina General Statute § 160A-299 grants cities the authority to permanently close streets and alleys. The statute requires City Council to consider whether the closure of the Right-of-Way has a negative impact to the public interest and whether the closure would impede access to parcels, utilities, and other public infrastructure.
- Central United Methodist Church of Asheville has submitted an application requesting to permanently close an unopened right-of-way connecting to the east side of Buncombe Street between Commerce Street and Aston Street.
- The subject right-of-way serves as the driveway in/out of the church's private parking lot.
- There are no utility conflicts, nor any transportation connectivity opportunities associated with this unopened right-of-way.

Council Goal(s):

- A Well-Planned and Livable Community.

Committee(s):

- Technical Review Committee, November 7, 2022, unanimously recommended approval with conditions.
- Multimodal Transportation Commission, December 7, 2022, unanimously recommended approval.

Pro(s):

- There are no utility conflicts, nor any transportation connectivity opportunities associated with this unopened right-of-way.

Con(s):

- None.

Fiscal Impact:

- This action requires no (additional) City resources and has no fiscal impact.

Suggested Motion:

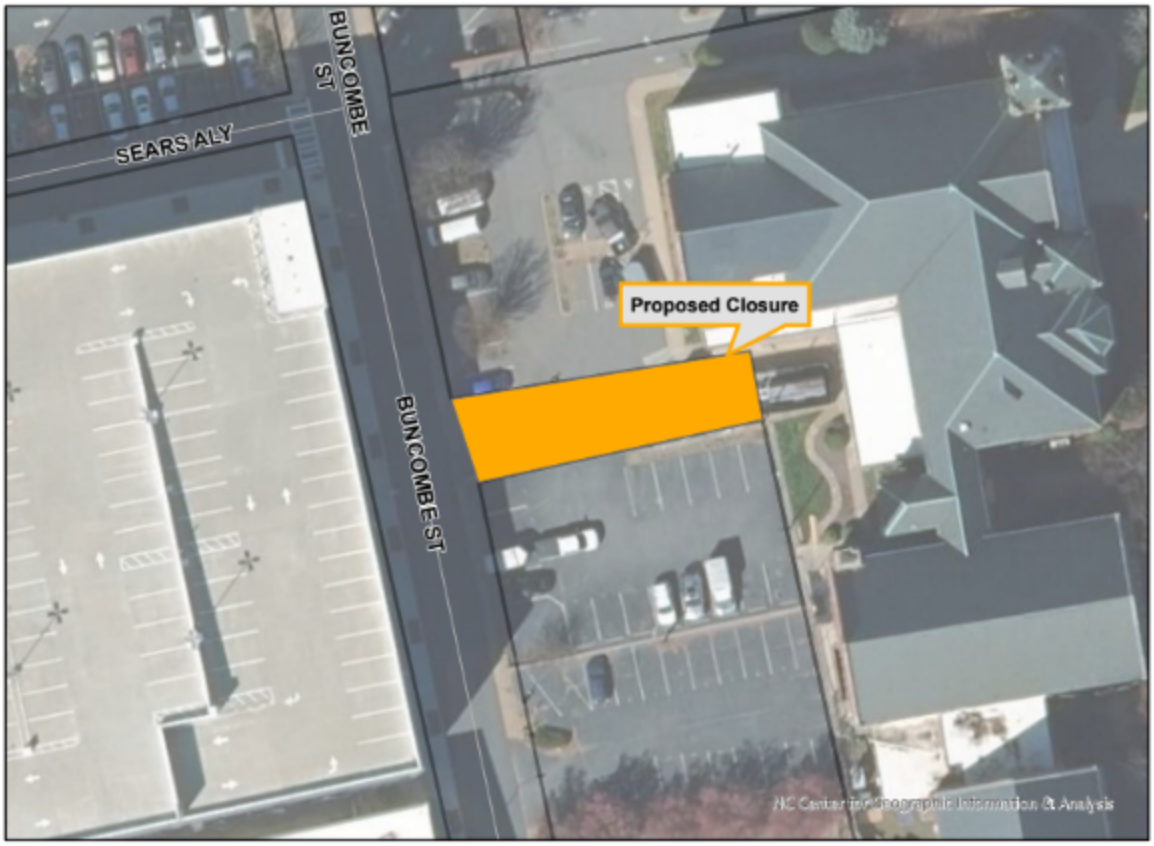
- Motion to adopt a resolution to permanently close an unopened right-of-way connecting to the east side of Buncombe Street between Commerce Street and Aston Street, associated with the Central United Methodist Church.

Attachment(s):

- Location Map
- Resolution

THE CITY OF ASHEVILLE

Right Of Way Closure
BUNCOMBE ST



Legend

- Local Interstate Highways
- Local US Highways
- Local NC Highway
- Local Highway Ramps
- Local Blue Ridge Parkway
- NC Interstate Highways
- Streets
- Proposed Easement
- Proposed Closure Area
- Parcels

2019 Orthoimagery



RESOLUTION NO. 23-___

RESOLUTION TO PERMANENTLY CLOSE AN UNOPENED RIGHT-OF-WAY CONNECTING TO THE EAST SIDE OF BUNCOMBE STREET BETWEEN COMMERCE STREET AND ASTON STREET, ASSOCIATED WITH THE CENTRAL UNITED METHODIST CHURCH.

WHEREAS, pursuant to section 160A-299 of the North Carolina General Statutes, the City of Asheville has the authority to permanently close streets and alleys, including unopened rights-of-way; and

WHEREAS, WHEREAS, the City of Asheville is hereby permanently closing an unopened right-of-way connecting to the east side of Buncombe Street between Commerce Street and Aston Street, associated with the Central United Methodist Church; and

WHEREAS, said right-of-way is not under the control of the N. C. Dept of Transportation;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Council hereby permanently closes a portion of an unopened right-of-way connecting to the east side of Buncombe Street between Commerce Street and Aston Street, associated with the Central United Methodist Church, described as:

Description of the portion of 152.33 ft.(northside) and 152.91 ft.(southside) in length, and 25 ft. in width to be closed as follows:

BEGINNING at a point in the Eastern margin of the concrete sidewalk along the eastern side of Buncombe Street (a 30 foot right of way) said point being marked with an “x” on a rock wall located on the east side of the sidewalk along Buncombe Street, approximately 198.5 feet from the Northeast corner of the intersection of Buncombe Street and Aston Street; thence N 77 deg., 59 min., 27 sec. E 152.91 feet, thence N 16 deg. 20 min. W approximately 25 feet, thence S 77 deg. 59 min. 27 sec. W 152.33 feet to a point marked with a bolt on the eastern edge of the above-referenced sidewalk; thence S 12 deg. 33 min. E approximately 25 feet to the point and place of BEGINNING. The same being the easternmost segment of Second Street, as the same is shown on a plat recorded in Plat Book 8 at Page 26 in the Buncombe County Registry.

A certified copy of this resolution and order shall be filed in the Office of the Buncombe County Register of Deeds.

Read, approved and adopted this 14th day of February, 2022.

_____ _____

City Clerk Mayor

Approved as to form:

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City Attorney